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SUPREME COURT
STATE OF WASHINGTON
2007 FEB 21 4:30

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CLERK *[Signature]*

Attorney for Plaintiff/Appellant

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

PARDNER WYNN,)	No. 78247-4
)	
)	RAP 10.8
Plaintiff/Appellant,)	ADDITIONAL
)	AUTHORITIES
and)	
)	
JOLENE EARIN and JOHN DOE)	
EARIN, as Husband and Wife and Their)	
Marital Community,)	
)	
Defendant/Respondent.)	
_____)	

The Plaintiff/Appellant, **Pardner Wynn**, submits the following additional authorities for this Court's consideration on review following oral argument, under RAP 10.8.

- A. Pertaining to the distinction between RCW 70.02.170 providing for civil damages, as compared to general "privileged communications:"**

RCW 5.60.060(2)(a) and (4) (no provision for civil damages for violation);

15A Am.Jur.2d Common Law § 15, Change or Abrogation by Statute or Constitution (May 2006).

Johnson v. Department of Labor and Industries, 114 Wn.2d 479, 484, 788 P.2d 551 (Wn.,1990).

B. Pertaining to the distinction between implied waiver of “privileges” by failure to object at trial verses specific writing required under 70.02.020, 030:

RCW 5.60.060(2)(a) and (4) (allowing disclosure by nonspecific “consent”);

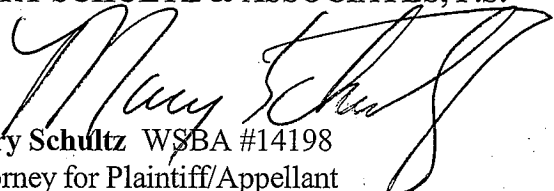
Sackett v. Santilli, 146 Wn.2d 498, 503-504, 47 P.3d 948 (2002)(discussing generally the legislature’s ability to define what may constitute either express or implied waiver by statute).

C. Pertaining to why testimony “outside the scope” is actionable negligence under RCW 70.02.020 (1), limiting the scope of disclosure to that disclosure authorized in writing:

RCW 5.40.050 (rendering statutory violations also actionable as negligence).

DATED this 20 day of Feb., 2007.

MARY SCHULTZ & ASSOCIATES, P.S.


Mary Schultz WSBA #14198
Attorney for Plaintiff/Appellant

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CERTIFICATE OF SERVICE

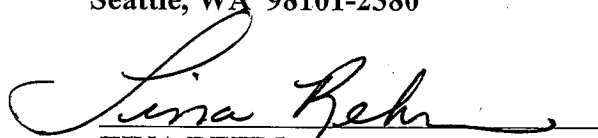
The undersigned hereby certifies that she is a person of such age ^{CLERK} and discretion as to be competent to serve papers.

That on the 20th day of February 2007, she served a copy of the RAP 10.8 Additional Authorities to the persons hereinafter named via email and overnight mail at the place of address stated below, which are the last known addresses.

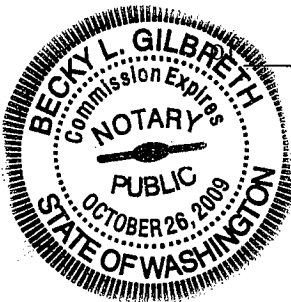
ATTORNEYS FOR RESPONDENT:


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TINA REHM

SUBSCRIBED AND SWORN to before me this 20th day
FEB, 2007.




NOTARY PUBLIC in and for the
State of Washington, residing in
Spokane. Commission Expires: 10/26/09